

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF ROCKLAND-----X
FRANK TRAMONTANO individually and as Treasurer of
THE COMMITTEE TO ELECT BUBEL,
DOWNEY AND PESANTE,

Index No.

Date Filed:

Plaintiff,

VERIFIED COMPLAINT

-against-

MIGDALIA PESANTE,

Defendant.
-----X

Plaintiff, complaining of the defendant, by his attorneys, Robert L. Reda, P.C.,
respectfully shows to this Court and alleges as follows:

THE PARTIES

FIRST: That at all times mentioned herein, plaintiff Frank Tramontano
individually and as Treasurer of The Committee to Elect Bubel, Downey and Pesante
was, and still is, a resident of the County of Kings and the State of New York.

SECOND: That at all times hereinafter mentioned, defendant Migdalia Pesante, was,
and still is, a resident of the Village of Airmont, County of Rockland, State of New York.

FACTS

THIRD: That at all times hereinafter mentioned, plaintiff Frank Tramontano
was the Treasurer of the unincorporated association The Committee to Elect Bubel,
Downey and Pesante.

FOURTH: That at all times hereinafter mentioned, defendant Migdalia Pesante was a member of the unincorporated association The Committee to Elect Bubel, Downey and Pesante.

AS AND FOR A FIRST CAUSE OF ACTION

FIFTH: On March 19, 2019, the Village of Airmont held a general election allowing residents of the Village to vote various members to its Board of Trustees.

SIXTH: In the months preceding the election, The Committee to Elect Bubel, Downey and Pesante was formed (hereinafter the "Organization").

SEVENTH: Part of the Organization's duties and responsibilities was to support three candidates for various positions to the Village of Airmont's Board.

EIGHTH: The Defendant was a member of the Organization and a candidate for whom the Organization supported, and due to that support, the Defendant ultimately won election to the Village of Airmont's Board as a Trustee.

NINTH: The Defendant had agreed that as a member of the Organization and in return for the Organization's support of her campaign to be elected Trustee, she would contribute one-third (1/3) of the expenses incurred by the Organization during the campaign.

TENTH: That the Organization incurred significant costs associated with the support of its candidates for the March 19, 2019 election.

ELEVENTH: That the costs are in excess of Twenty-Thousand dollars (\$20,000.00).

TWELFTH: That the Defendant, in breach of the agreement between herself and the Organization, failed and continues to fail to pay the one-third (1/3) portion of the costs incurred by the Organization in support of her campaign.

THIRTEENTH: That the Defendant has and continues to affirmatively state that she will not pay her portion of the expenses incurred by the Organization.

FOURTEENTH: That by reason of the foregoing, plaintiff has suffered damages in an amount to be determined at trial, but in no event less than EIGHT-THOUSAND, FIVE-HUNDRED DOLLARS (\$8,500.00).

WHEREFORE, plaintiff demands judgment against defendant MIGDALIA PESANTE, in an amount to be determined at trial, but in no event less than EIGHT-THOUSAND, FIVE-HUNDRED DOLLARS (\$8,500.00) on the first cause of action and \$8,500.00; together with the interest, costs and disbursements.

Dated: Suffern, New York
August 19, 2019



ROBERT L. REDA, P.C.
By: Javier A. Rosado, Esq.
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VERIFICATION

-against-

MIGDALIA PESANTE,

Defendant.

-----X
STATE OF NEW YORK)
) ss.:
COUNTY OF ROCKLAND)


Javier A. Rosado, Esq., an attorney duly admitted to practice law in the state of New York affirms the following under penalty of perjury:

That he is an associate attorney for the Law Offices of Robert L. Reda, P.C., the attorneys for the plaintiff in the above entitled action with offices located at One Executive Boulevard, Suite 201, Suffern, NY 10901; that he has read the foregoing verified complaint and knows the contents thereof; that the same is true to his knowledge, except as to the matters stated to be alleged upon information and belief, and that as to those matters he believes them to be true.

That the reason why this verification is made by deponent instead of the plaintiff is because the plaintiff does not maintain a residence or an office in the county of Rockland, which is the county where deponent has his offices. Deponent further says the grounds of his belief as to all matters in the complaint not stated to be upon contents of my file and communications with my client.

I affirm that the foregoing statements are true, under the penalties of perjury.

Dated: Rockland, New York
August 19, 2019


Javier A. Rosado, Esq.